

PROBABLE CAUSE STATEMENT

On April 6, 2008, the defendant identified as **Gildardo ROJAS-Martinez** was arrested by the Chula Vista Police Department, Chula Vista, California, for HS-11377 Possession Controlled Substance and HS-11364 Control Substance Paraphernalia. Defendant was later booked into city jail. While in the custody of city jail, an Immigration Agent determined the defendant to be a citizen of Mexico and placed an Immigration Hold (I-247) pending his release from jail.

On April 16, 2008 the defendant was referred to the custody of the United States Immigration and Customs Enforcement (ICE), Field Office in San Diego, California. An Immigration Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed form the United States on at least one occasion.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that defendant **Gildardo ROJAS-Martinez** has been ordered removed from the United States by an Immigration Judge on or about December 2, 2004, and removed to Mexico, via the San Ysidro Port of Entry on December 2, 2004. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) and Automated Fingerprint Identification System (IAFIS) were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as **Gildardo ROJAS-Martinez**, a citizen and national of Mexico.